

AF/2665
JRW

Practitioner's Docket No. FORE-58

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark Held, Srinivas R. Goli
Application No.: 09/499,859
Filed: February 7, 2000
For: UPC FAIL DOWN

Group No.: 2665
Examiner: Michael J. Molinari

Mail Stop Petition AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed May 11, 2004, finally rejecting claims 1-9 and 12-17.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

09/14/2004 AWONDAF1 00000083 09499859

01 FC:1401 330.00 OP
02 FC:1251 110.00 OP

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: 9/10/04

Tracey L. Milka
Signature

Tracey L. Milka

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity	\$330.00
Notice of Appeal fee due	\$330.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee	\$110.00
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If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$110.00

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$330.00
Extension fee	\$110.00

TOTAL FEE DUE \$440.00

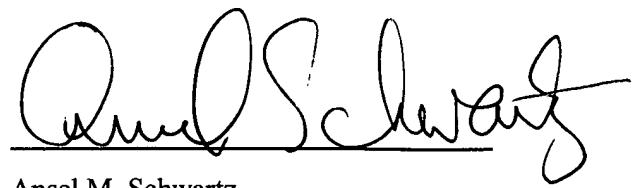
5. FEE PAYMENT

Attached is a check in the amount of \$440.00.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-0737.



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